



# CALIFORNIA STATE AUDITOR

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# FACT SHEET

Date: August 26, 2008

Report: 2008-104

The California State Auditor released the following report today:

## Department of Corrections and Rehabilitation

*It Does Not Always Follow Its Policies When Discharging Parolees*

### BACKGROUND

The Department of Corrections and Rehabilitation (Corrections) is generally required to release on parole its prison inmates upon completion of their prison terms. Subsequently, parolees must be discharged from parole within 30 days of completing their required period of continuous parole unless Corrections' Board of Parole Hearings (board) approves retaining the parolee. Adult parole is divided into four regions within California and the regions encompass 25 districts and 179 parole units. The parole agent responsible for supervising a parolee recommends whether to retain or discharge the parolee. The agent's supervisor can discharge parolees in many cases, while in other cases, the district administrator or the board must. Corrections discharged 38,565 felon parolees during 2006 and 44,078 during 2007.

### KEY FINDINGS

In our review of Corrections' adult parole discharge practices between January 1, 2007, and March 31, 2008, we found that:

- Of the 56,329 parolees discharged, parole agents did not submit discharge review reports for 2,458 deported parolees, and 2,523 other parolees. Thus, Corrections lost jurisdiction over these individuals and the opportunity to recommend that the board retain these parolees, including 775 individuals originally convicted of violent or serious offenses.

Corrections does not require:

- Discharge review reports for deported parolees even though parole staff may recommend that these individuals be retained because of certain case factors based on their review. Without the review reports, we could not confirm if staff reviewed criminal history reports and other case factors before relinquishing jurisdiction.
  - Unit supervisors to verify that parole agents complete discharge review reports for eligible parolees.
- Of the 503 central files containing discharge review reports that we reviewed to determine whether appropriate personnel prepared a discharge review, district administrators only participated in 156 discharge reviews. In 20 percent of these cases, district administrators discharged parolees against both the parole agents' and unit supervisors' recommendations to retain them and often did not provide written justification for discharging parolees contrary to staff recommendations.
  - Corrections did not always ensure that the appropriate authority participated in discharge decisions. District administrators or the board should have evaluated six of 83 discharge reviews that we examined for compliance with policies, yet due to staff errors, the appropriate authority did not participate in these discharges and ultimately all six were discharged despite staff recommendations to retain three of the parolees.
  - As a result of internal investigations and findings since December 2007, Corrections stated it plans to implement a number of changes to improve its discharge processes. However, it did not provide us any evidence to demonstrate that it has implemented any of its draft policies and regulations.

### KEY RECOMMENDATIONS

We made several recommendations to Corrections including that it ensure discharge review reports are completed promptly for all eligible parolees to prevent their automatic discharge, and that it ensure the appropriate authority is involved in discharging or retaining parolees. Further, we recommended that Corrections finalize and implement its new draft policies, procedures, and regulations governing its parole discharge process and that staff handling case records receive additional training on discharge practices to ensure compliance with discharge policies.



